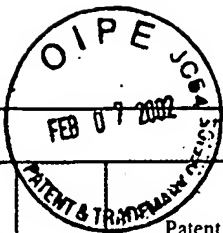


Form PTO-1449 (Substitute)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		Attorney Docket Number KLYC-01056US8		Serial/Patent Number 10/037,236	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)				Applicant/Patent Owner Zucherman et al.		Group Art Unit: Unknown 3731	
				Filing/Issue Date November 9, 2001			
U.S. PATENTS							
Examiner Initial		Patent Number	Issue Date	First Named Inventor	Class	Subclass	Filing Date
DP	U1	6,234,705 B1	5-2001	Troxel			
	U2	6,156,067	12-2000	Bryan et al.			
	U3	6,113,639	9-2000	Ray et al.			
	U4	6,022,376	2-2000	Assell et al.			
	U5	6,001,130	12-1999	Bryan et al.			
	U6	5,976,186	11-1999	Bao et al.			
	U7	5,888,226	3-1999	Rogozinski			
	U8	5,888,224	3-1999	Beckers et al.			
	U9	5,885,299	3-1999	Winslow et al.			
	U10	5,865,846	2-1999	Bryan et al.			
	U11	5,824,098	10-1998	Stein			
	U12	5,766,252	6-1998	Henry et al.			
	U13	5,725,582	3-1998	Bevan et al.			
	U14	5,702,455	12-1997	Saggar			
	U15	5,676,702	10-1997	Ratron			
	U16	5,674,296	10-1997	Bryan et al.			
	U17	5,674,295	10-1997	Ray et al.			
	U18	5,653,761	8-1997	Pisharodi			
	U19	5,645,599	7-1997	Samani			
	U20	5,645,597	7-1997	Krapiva			
	U21	5,609,634	3-1997	Voydeville			
	U22	5,593,409	1-1997	Michelson			
	U23	5,562,736	10-1996	Ray et al.			
	U24	5,549,679	8-1996	Kuslich			
✓	U25	5,540,689	7-1996	Sanders et al.			

David - King

4/3/05



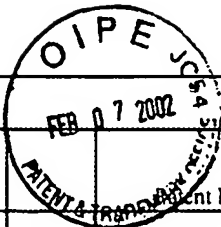
10/037,236

Sheet 2 of 5

U.S. PATENTS						
Examiner Initial	Patent Number	Issue Date	First Named Inventor	Class	Subclass	Filing Date
DR	U26 5,534,029	7-1996	Shima	7	1	
	U27 5,534,028	7-1996	Bao et al.	7	1	
	U28 5,514,180	5-1996	Heggeness et al.	7	1	
	U29 5,505,732	4-1996	Michelson	7	1	
	U30 5,496,318	3-1996	Howland et al.	7	1	
	U31 5,470,333	11-1995	Ray	7	1	
	U32 5,458,643	10-1995	Oka et al.	7	1	
	U33 5,458,641	10-1995	Ramirez Jimenez	7	1	
	U34 5,458,638	10-1995	Kuslich et al.	7	1	
	U35 5,443,514	8-1995	Steffee	7	1	
	U36 5,415,661	5-1995	Holmes	7	1	
	U37 5,395,372	3-1995	Holt et al.	7	1	
	U38 5,390,683	2-1995	Pisharodi	7	1	
	U39 5,387,213	2-1995	Breard et al.	7	1	
	U40 5,352,225	10-1994	Yuan et al.	7	1	
	U41 5,306,309	4-1994	Wagner et al.	7	1	
	U42 5,304,178	4-1994	Stahurski	7	1	
	U43 5,290,312	3-1994	Kojimoto et al.	7	1	
	U44 5,263,953	11-1993	Bagby	7	1	
	U45 5,258,031	11-1993	Salib et al.	7	1	
	U46 5,192,327	3-1993	Brantigan	7	1	
	U47 5,180,381	1-1993	Aust et al.	7	1	
	U48 5,167,662	12-1992	Hayes et al.	7	1	
	U49 5,123,926	6-1992	Pisharodi	7	1	
	U50 5,092,866	3-1992	Breard et al.	7	1	
	U51 5,084,049	1-1992	Asher et al.	7	1	
	U52 5,059,194	10-1991	Michelson	7	1	
	U53 5,059,193	10-1991	Kuslich	7	1	
✓	U54 5,055,104	10-1991	Ray	7	1	

David. Rep

4/3/05



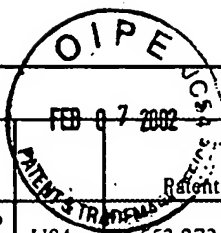
10/037,236

Sheet 3 of 5

U.S. PATENTS						
Examiner Initial	Patent Number	Issue Date	First Named Inventor	Class	Subclass	Filing Date
DR	U55 5,047,055	9-1991	Bao et al.	1	1	
	U56 5,035,716	7-1991	Downey	1	1	
	U57 5,026,373	6-1991	Ray et al.	1	1	
	U58 5,015,247	5-1991	Michelson	1	1	
	U59 5,011,484	4-1991	Breard	1	1	
	U60 4,969,888	11-1990	Scholten et al.	1	1	
	U61 4,961,740	10-1990	Ray et al.	1	1	
	U62 4,946,378	8-1990	Hirayama et al.	1	1	
	U63 4,936,848	6-1990	Bagby	1	1	
	U64 4,932,975	6-1990	Main et al.	1	1	
	U65 4,913,134	4-1990	Luque	1	1	
	U66 4,904,261	2-1990	Dove et al.	1	1	
	U67 4,904,260	2-1990	Ray et al.	1	1	
	U68 4,878,915	11-1989	Brantigan	1	1	
	U69 4,834,757	5-1989	Brantigan	1	1	
	U70 4,790,303	12-1988	Steffee	1	1	
	U71 4,772,287	9-1988	Ray et al.	1	1	
	U72 4,743,256	5-1988	Brantigan	1	1	
	U73 4,714,469	12-1987	Kenna	1	1	
	U74 4,696,290	9-1987	Steffee	1	1	
	U75 4,685,447	8-1987	Iversen et al.	1	1	
	U76 4,657,550	4-1987	Daher	1	1	
	U77 4,643,178	2-1987	Nastari et al.	1	1	
	U78 4,636,217	1-1987	Ogilvie et al.	1	1	
	U79 4,611,582	9-1986	Duff	1	1	
	U80 4,604,995	8-1986	Stephens et al.	1	1	
	U81 4,599,084	7-1986	Nashef	1	1	
	U82 4,599,086	7-1986	Doty	1	1	
V	U83 4,554,914	11-1985	Kapp et al.	1	1	

David O. Kapp

4/3/05



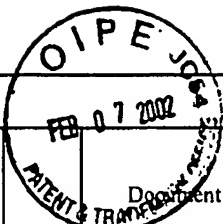
10/037,236

U.S. PATENTS							
Examiner Initial	Patent Number	Issue Date	First Named Inventor	Class	Subclass	Filing Date	
PF	U84	4,553,273	11-1985	Wu			
	U85	4,501,269	2-1985	Bagby			
	U86	4,479,491	10-1984	Martin			
	U87	4,401,112	8-1983	Rezaian			
	U88	4,369,769	1-1983	Edwards			
	U89	4,349,921	9-1982	Kuntz			
	U90	4,309,777	1-1982	Patil			
	U91	3,875,595	4-1975	Froning			
	U92	3,867,728	2-1975	Stubstad et al.			
	U93	3,648,691	3-1972	Lumb et al.			
✓	U94	3,426,364	2-1969	Lumb			
	U95	2,677,369	5-1954	Knowles			

FOREIGN PATENT DOCUMENTS							
Examiner Initial	Document Number	Publication Date	Country	Class	Subclass	Translation Yes No	
PF	F1	WO 01/28442 A1	4-2001	PCT		*	
	F2	WO 00/04851	2-2000	PCT		✓	
	F3	WO 00/13620	3-2000	PCT		✓	
	F4	WO 00/13619	3-2000	PCT		✓	
	F5	FR 2782911 A1	3-2000	France			✓
	F6	FR 2780269 A1	12-1999	France			✓
	F7	WO 99/59669	11-1999	PCT		✓	
	F8	WO 99/42051	8-1999	PCT		*	
	F9	WO 99/40866	8-1999	PCT		*	
	F10	WO 99/26562	6-1999	PCT		*	
✓	F11	WO 98/48717	11-1998	PCT		*	
	F12	EP 0767636 B1	4-1997	EPO			✓
	F13	FR 2722980 A1	2-1996	France			✓

David O. Kemp

4/13/05



10/037,236

Sheet 5 of 5

FOREIGN PATENT DOCUMENTS								
Examiner Initial		Document Number	Publication Date	Country	Class	Subclass	Translation	
							Yes	No
DR	F14	EP 0677277 A2	10-1995	EPO				✓
	F15	FR 2717675	9-1995	France				✓
	F16	FR 2707864 A1	1-1995	France				✓
	F17	WO 94/26192	11-1994	PCT			*	
	F18	WO 94/21185	9-1994	PCT			✓	
	F19	FR 2681525 A1	3-1993	France			*	
	F20	WO 91/16018	10-1991	PCT			✓	
	F21	2015507	1-1991	Canada			✓	
	F22	WO 90/00037	1-1990	France			✓	
	F23	SU 1484348 A1	6-1989	Soviet Union			*	
	F24	EP 322334 A1	12-1988	EPO			*	
	F25	DE 2821678 A1	4-1980	Germany			*	
	F26	EP 146347 A1	12-1984	EPO			*	
	F27	EP 140790 A2	10-1984	EPO				✓
✓	F28	DE 3113142 A1	1-1982	Germany				✓

* English Abstract attached

OTHER DOCUMENTS (Include author (if any), title, publisher and place of publication, date and pertinent pages)

DR	O1	Minns, R.J., et al., <i>Preliminary Design and Experimental Studies of a Novel Soft Implant for Correcting Sagittal Plane Instability in the Lumbar Spine</i> , SPINE Volume 22, Number 16, pp.1819-1825, © 1997, Lippincott-Raven Publishers
	O2	Waldemar Link, brochure entitled <i>Wirbelsäulen-Chirurgie: Instrumentarium Und Implantate Zur Wirbelsäulen-Chirurgie</i> (Spinal Surgery: Instrumentation and Implants for Spinal Surgery), Waldermar Link, Hamburg, Germany
	O3	Haruo Tsuji, et al., <i>Ceramic Interspinous Block (CISB) Assisted Anterior Interbody Fusion</i> , Journal of Spinal Disorders, Vol.3, No.1, pp.77-86, ©1990 Raven Press, Ltd., New York
✓	O4	Richard W. Porter, MD, FRCS, FRCSE, <i>Spinal Stenosis and Neurogenic Claudication</i> , SPINE Volume 21, Number 17, pp.2046-2052, ©1996, Lippincott-Raven Publishers

Examiner

Dennis O. Kemp

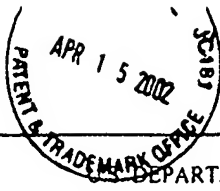
Date Considered

4/3/05

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*1 = Copy not submitted because it was submitted in prior application SN / , filed , 20 , relied on under 35 USC §120.

*2 = Copy not submitted because it was submitted in prior application SN / , filed , 20 , relied on under 35 USC §120.



Form PTO-1449 (Substitute)		DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		Attorney Docket Number KLYC-01056US8		Serial/Patent Number 10/037,236	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)				Applicant/Patent Owner Zucherman, et al.			
				Filing/Issue Date November 9, 2001		Group Art Unit 3732 3731	
U.S. PATENTS							
Examiner Initial		Patent Number	Issue Date	First Named Inventor	Class	Subclass	Filing Date
U.S. PATENT PUBLICATIONS							
Examiner Initial		Patent Application Publication Number	Publication Date	Applicant			
PENDING U.S. PATENT APPLICATIONS							
Examiner Initial		Application Number	Filing Date	First Named Inventor	Petition to Expunge? Yes No		

David Kep

4/3/05



COPY OF PAPERS
ORIGINALLY FILED

Sheet 2 of 2

10037,236

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document Number	Publication Date	Country	Class	Subclass	Trans- lation	
							Yes	No
Dr	F1	EP 1138268	4/20/01	Europe			**	
Dr	F2	FR 2806616		France			**	
Dr	F3	FR 2806614		France			**	

RECEIVED
MAY - 2 2002
TECHNOLOGY CENTER R3700

** English Abstract attached

OTHER DOCUMENTS (Include author (if any), title, publisher and place of publication, date and pertinent pages)

Examiner

D. W. Lopez

Date Considered

4/3/05

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*1 = Copy not submitted because it was submitted in prior application SN /_____, filed _____, 20____, relied on under 35 USC §120.

*2 = Copy not submitted because it was submitted in prior application SN /_____, filed _____, 20____, relied on under 35 USC §120.



Sheet 1 of 1

Form PTO-1449 (Substitute)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	Attorney Docket Number KLYC-01053US8 SRM	Serial/Patent Number 10/037,236
		Applicant/Patent Owner James F. Zucherman et al.	
		Filing/Issue Date November 9, 2001	Group Art 3731

RECEIVED
OCT 01 2003
TECHNOLOGY CENTER #3700

Information Disclosure Statement
BY APPLICANT
(Use several sheets if necessary)

U.S. PATENTS

Examiner Initial		Patent Number	Issue Date	First Named Inventor	Class	Subclass	Filing Date
<i>DP</i>	A1	2,456,806	12/21/1948	Wolffe	33	174	1/14/1947
	A2	5,122,130	6/16/1992	Keller	606	61	10/25/1990
	A3	5,800,438	9/1/1998	Tuke et al.	606	90	10/22/1996
	A4	6,261,296 B1	7/17/2001	Aebi et al.	606	90	10/1/1999
<i>DP</i>	A5	6,565,570 B2	5/20/2003	Sterett et al.	606	69	3/14/2001

U.S. PATENT PUBLICATIONS

Examiner Initial		Patent Application Publication Number	Publication Date	Applicant

PENDING U.S. PATENT APPLICATIONS

Examiner Initial		Application Number	Filing Date	First Named Inventor	Petition to Expunge? Yes No

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document Number	Publication Date	Country	Class	Subclass	Trans- lation Yes No

OTHER DOCUMENTS (Include author (if any), title, publisher and place of publication, date and pertinent pages)

	C1	Copy of International Search Report dated June 30, 2003
--	----	---

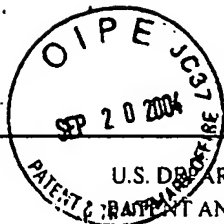
Examiner <i>David C. Key</i>	Date Considered <i>4/3/05</i>
------------------------------	-------------------------------

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*1 = Copy not submitted because it was submitted in prior application SN /_____, filed _____, 20____, relied on under 35 USC §120.

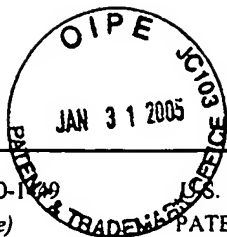
*2 = Copy not submitted because it was submitted in prior application SN /_____, filed _____, 20____, relied on under 35 USC §120.

BEST AVAILABLE COPY



Sheet 1 of 1

Form PTO-1449 (Substitute)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		Attorney Docket Number KLYC-01056US8		Serial/Patent Number 10/037,236	
Information Disclosure Statement BY APPLICANT (Use several sheets if necessary)				Applicant/Patent Owner JAMES F. ZUCHERMAN, ET AL.			
				Filing/Issue Date November 9, 2001		Group Art Unit 3731	
U.S. PATENTS							
Examiner Initial		Patent Number	Issue Date	First Named Inventor	Class	Subclass	Filing Date
U.S. PATENT PUBLICATIONS							
Examiner Initial		Patent Application Publication Number	Publication Date	Applicant			
PENDING U.S. PATENT APPLICATIONS							
Examiner Initial		Application Number	Filing Date	First Named Inventor	Petition to Expunge? Yes No		
FOREIGN PATENT DOCUMENTS							
Examiner Initial		Document Number	Publication Date	Country	Class	Subclass	Trans- lation Yes No
OTHER DOCUMENTS (Include author (if any), title, publisher and place of publication, date and pertinent pages)							
	X	International Search Report mailed May 12, 2004 for International Application No. PCT/US03/27109.					
Examiner				Date Considered 4/3/05			
*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							
*1 = Copy not submitted because it was submitted in prior application SN __/__, filed ____, 20__, relied on under 35 USC §120.							
*2 = Copy not submitted because it was submitted in prior application SN __/__, filed ____, 20__, relied on under 35 USC §120.							

Sheet 1 of 1

Form PTO-1009 (Substitute)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	Attorney Docket Number KLYC-01056US8	Serial/Patent Number 10/037,236
		Applicant/Patent Owner Zucherman et al.	
		Filing/Issue Date 11/09/2001	Group Art Unit 3731

Information Disclosure Statement
BY APPLICANT
(Use several sheets if necessary)

U.S. PATENTS

Examiner Initial	Patent Number	Issue Date	First Named Inventor	Class	Subclass	Filing Date

U.S. PATENT PUBLICATIONS

Examiner Initial	Patent Application Publication Number	Publication Date	Applicant

PENDING U.S. PATENT APPLICATIONS

Examiner Initial	Application Number	Filing Date	First Named Inventor	Petition to Expunge? Yes No

FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Publication Date	Country	Class	Subclass	Translation Yes No
	FR 2 724 554	03/22/1996	France	A61B	17/70	
	FR 2 722 088	01/12/1996	France	A61B	17/70	
	FR 2 705 227	11/24/1994	France	A61F	2/44, 2/46	
	GB 780,652	08/07/1957	Great Britain	A61F		

OTHER DOCUMENTS (Include author (if any), title, publisher and place of publication, date and pertinent pages)

Examiner	Date Considered 4/3/05
----------	-------------------------------

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*1 = Copy not submitted because it was submitted in prior application SN / , filed , 20 , relied on under 35 USC §120.

*2 = Copy not submitted because it was submitted in prior application SN / , filed , 20 , relied on under 35 USC §120.